

April 4, 1975

SENATOR RUMERY: Ok. Fine. Thank you.

PRESIDENT: Any further question. The question is, shall the Koch amendment be adopted? Record.

CLERK: 27 ayes, 0 nays.

PRESIDENT: Motion carries. The amendment is adopted. Senator George.

SENATOR GEORGE: Mr. President, the bill with the Koch amendment has already been discussed. I move the advancement of 494 to E & R Initial as amended.

PRESIDENT: Any discussion. The question is, the advancement of 494. Record your vote. We are going to ask, please, vote again. Something is wrong with the machine. We have to assume it is not our Clerk. Record.

CLERK: 27 ayes, 1 nay, 21 not voting.

PRESIDENT: Motion carries. The bill is advanced.

CLERK: Mr. President, LB 500 introduced by Senator Murphy. Read title. There are Committee amendments, Mr. President, by Senator Luedtke's Judiciary Committee and then there are other amendments offered by Senator Luedtke and a motion to reject the Committee amendments and adopt the attached. The first motion would be the rejection of the Committee amendments. Senator Luedtke.

SENATOR LUEDTKE: Mr. President, I move to reject the Committee amendments and adopt the amendment which we have placed in lieu thereof. This is actually the amendment which would replace the Committee amendment is precisely the same amendment except that instead of starting out with no bond, I believe it says, I don't have the copy, any bond and it is a technical change which the proponents of the bill when they came before the Committee, they presented us with a copy of the amendments and when we took it down to the bill drafter, the bill drafter changed that to read "no bond" and the change says "any bond". That is the only change in it. Otherwise, they are strictly technical amendments to make the bill read precisely as the proponents said with regard to the bonds that are involved and I will let Senator Murphy explain the bill. However, this was strictly the proponents technical amendments and it changes from "no" to "any". It does not really change the application of the amendment at all. So I move the adoption, first to reject the amendment and then can we move to adopt at the same time.

PRESIDENT: We think only one at a time, Senator Luedtke.

SENATOR LUEDTKE: I would move first of all to reject the Committee amendments.

PRESIDENT: All right. Senator Murphy.

SENATOR MURPHY: I am caught between two lawyers. This deals with the probate code that we had quite some discussion a year or so about and this is one of the first